

BEFORE THE DEPARTMENT OF TRANSPORTATION
OFFICE OF AVIATION ENFORCEMENT AND PROCEEDINGS
WASHINGTON, D.C.

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)
Paul Gross third-party complainant)
)
v.) Docket DOT-OST-2022-____
)
Turk Hava Yollari A.O. (Turkish Airlines)
)
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COMPLAINT OF

Comments with respect to this document should be addressed to:

Dated: 02/14/2022

should head to the airport for the flight tomorrow. However, when I got to the airport, United staff said my flight was booked for October 8, and since the flight was booked with Turkish Airlines, I would need to call them to have the flight date adjusted because United could not make that change.

3. From the airport in Los Angeles, I quickly called Turkish to have the flight corrected. (Call made October 7 from () at around 130 pm.) But the Turkish representative told me there was nothing that could be done about it because there were no more flights available. Notwithstanding the prior Turkish agent's error, I still needed to travel on the flight I had requested, that the prior Turkish agent had indicated she had booked for me. United staff said I could travel on that flight if I paid them \$414.80. Having no other choice because I needed to travel, I paid United.

4. After travel, I contacted Turkish airlines about what happened. They responded to me by reporting that they reviewed the phone call and acknowledging that their agent made an error. See Attachment 1: "our agent did not provide you the necessary services according to our service quality standards" including the strong wording "The agent has been warned." Turkish refunded the miles to my account, for the redemption ticket I was unable to use because the Turkish agent booked the wrong date.

5. However, Turkish has repeatedly refused to reimburse the \$414.80 I had to pay United. See Attachment 2 (referencing "fare rules" and "the rules for the ticket" as the reason why they could not cover these costs) and Attachment 3 (claiming I was "fully refunded" and should not receive "compensation"). Despite Turkish's protestations, I have not been "fully refunded" or otherwise made whole. I intended to redeem a modest number of miles for my journey, and a Turkish agent purported to have

booked and confirmed that. Instead, due to the agent's error, I was forced to pay \$414.80 of real money, with my points still stuck at Turkish for future use.

6. It seems to me that Turkish must make me whole for the error of its agent. Turkish does not dispute that I requested one date but its agent booked a different date. I should get nothing less than the ticket that was quoted and confirmed to me – travel on October 7. The cost of the Turkish agent's error should be borne by Turkish, not by me. Nothing in Turkish's fare rules allowed Turkish's agent to make the brazen error of booking the wrong date, and Turkish's reliance on its fare rules is incorrect in this circumstance. Rather, the full costs of that error must be covered by Turkish – which means Turkish paying me the \$414.80 that I had to pay United solely due to Turkish's error.

I ask that the Department of Transportation:

- (1) Order Turk Hava Yollari A.O. (Turkish Airlines) to provide to the DOT and to me all notes, PNR annotations, call recordings, and other materials prepared by its systems and its staff in the course of the discussions herein;
- (2) Order Turk Hava Yollari A.O. (Turkish Airlines) to refund me for the ticket I had to buy from United;
- (3) Impose appropriate civil penalties on Turk Hava Yollari A.O. (Turkish Airlines)

Respectfully submitted,
Paul Gross

Fri, Oct 8, 2021 at 9:12 AM



Dear Paul GROSS,

First of all we would like to emphasize that are sorry for the poor impression that you have experienced regarding the services offered by our call center.

The particular conversation on 07/10/2021 has been carefully evaluated and we detected that our agent did not provide you the necessary services according to our service quality standards.

We would like to apologize for this inconvenience. The agent has been warned in behalf of its department.

We also would like to inform you that we have returned the miles of your ticket number 2352450650301 / 02 as per your feedback. The tax of your ticket has been refunded to the account from which you had made the payment. Depending on the refund processes of the banks, it may take 2-7 days for the refunded amount to be transferred to your account.

Halit D.
Customer Representative

TURKISH AIRLINES INC.
Customer Contact Center

"You may contact with us regarding our response via clicking [here](#) and creating a new feedback. If you reply this e-mail, your response will not be received."

Sat, Oct 9, 2021 at 8:21 AM



Dear Paul GROSS,

As Turkish Airlines, we carry out our activities in the services sector in accordance with certain rules.

The various kinds of tickets we offer for the use of our passengers each have their own rules and limitations of use. The terms of use are communicated at the time of sale to our passengers. The rules and regulations to which the ticket is subject gain validity after purchase and alterations/returns to tickets are carried out as per the rules for the ticket.

Accordingly, your ticket can be changed or cancelled within the boundaries of specified fare rules.

We submit the above to your information and would like to state our regret at these practices causing you dissatisfaction.

Sincerely Yours,

Esra T.

Customer Representative

TURKISH AIRLINES INC.
Customer Contact Center

Attachment 3

TK-5425716 #S1-14600540# Regarding Your Feedback

1 message

Tue, Oct 19, 2021 at 3:28 AM



Dear Paul GROSS,

First of all would like to emphasize that we are sorry for the poor impression that you have experienced regarding the services offered by our call center.

The particular conversation on 07/10/2021 has been carefully evaluated and we detected that our agent did not provide you the necessary services according to our service quality standards.

We would like to apologize for this inconvenience. The agent has already been warned in behalf of the department.

We have seen that you were fully refunded due to this inconvenience. Therefore, we unfortunately cannot meet your compensation claim.

Thank you for your understanding and wish to host you better in your future flights.

Sincerely Yours,

Uhud B.
Customer Representative

TURKISH AIRLINES INC.
Customer Contact Center

Certificate of Service

I hereby certify that I have, this [day number] day of February 2022 caused a copy of the foregoing Complaint to be served by electronic mail on the following persons:

Charles A. Simpson ¹	csimpson@kmazuckert.com
Kimberly Graber, Esq.	kimberly.graber@dot.gov
Blane Workie, Esq.	blane.workie@dot.gov
Robert Gorman, Esq.	robert.gorman@dot.gov

/s/

Paul Gross

¹ Turkish's designated agent per <https://www.regulations.gov/document/DOT-OST-2002-12556-0188-0002>